IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

PETITION NO. 159 OF 2004.

Re : T. P. Parekh & Ors., ... Debtors.

Ex-parte :
Lata S. Achharya . . . . . Petitioning Creditor.

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Ms. Kavita Lalwani, Advocate for the Petitioning Creditor.

CORAM : A.M.KHANWILKAR J.
DECEMBER 4, 2007.

P. C.

1. The present Petition is founded on the decree passed by the Court against debtor on 24th August, 2005 in High Court, Summary Suit No. 1386 of 2004. As the debtors failed to pay the amount, Insolvency Notice No. N/96 of 2003 dated 2nd May 2003 was issued, which was duly served on the debtor on 3rd February 2007 by substituted mode.

2. As the debtors failed to pay the amount or offer any explanation for non-payment, Substitute Petitioning Creditor has had no option but to take out the present action, which has been filed on 29th November 2006. The debtors have been duly served with the duly amending Petition. Inspite of

such service, none appears for the debtors. No reply has been filed. As no explanation have been offered on behalf of the debtors, Petition ought to succeed in terms of prayer clauses (a) and (b).

. Ordered accordingly.

A. M. KHANWILKAR, J.